

REMARKS/ARGUMENTS

Claims 1-23 now stand in the present application, claim 7 having been amended, and claims 17-18 having been withdrawn from consideration.

Claim 7 has been amended to correct the dependency of the claim.

The rejections of the claims under 35 U.S.C. § 102(e) as anticipated by U.S. Publication No. 2002/0188296 to Michelson, and the rejection of claims 5-7 and 16 as unpatentable over Michelson in view of U.S. Patent No. 5,842,822 to Everett et al., are respectfully traversed.

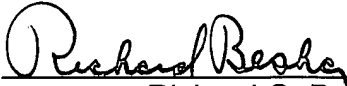
Accompanying this Amendment are the Declarations of the inventor Said G. Osman and the undersigned patent attorney representing Dr. Osman. The Declarations establish the invention of the rejected claims prior to the effective date of the reference, i.e., prior to June 6, 2001. Particularly the Declarations establish conception of the invention prior to June 6, 2001 coupled with due diligence to the constructive reduction to practice of the invention by the filing of the present application. Accordingly, Applicant submits that the Declarations demonstrate the claimed invention was established prior to the June 6, 2001 application date of Provisional Application No. 60/296,680, the earliest of the two provisional applications referenced in the Michelson Patent Application Publication.

Accordingly, reconsideration and allowance of the claims presently pending in the application is respectfully requested.

SAID G. OSMAN
Appl. No. 10/038,682
September 20, 2004

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 
Richard G. Besha
Reg. No. 22,770

RGB:lmr
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100